



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.4301 OF 2024

Gaurav Vipin Singhal & Ors.

.....Petitioners

Vs.

The State Of Maharashtra & Anr.

.....Respondents

Mr. Pankaj J. Das, for the Petitioners.

Mr. Ashish I. Satpute, APP, for Respondent No.1-State.

Mr. P. D. Dalvi, for Respondent No.2.

CORAM : SARNAG V. KOTWAL AND

DR. NEELA GOKHALE, JJ.

DATE : 8th OCTOBER 2024.

P.C.:-

1) The Petitioners seek quashing of criminal proceedings bearing R.C.C.No.258 of 2015 pending before the Judicial Magistrate First Class, Cantonment Court, Khadki, Pune arising out of F.I.R.No.3 of 2014 dated 2nd January 2014 registered with Bhosari Police Station, Pune for offences punishable under Sections 498-A, 325, 323, 504 and 406 read with 34 of the Indian Penal Code.

2) Petitioner No.1 is the husband of Respondent No.2-First Informant. The Petitioners No.2 and 3 are the mother-in-law and sister-in-law respectively of Respondent No.2.

3) It is alleged in the F.I.R. that the marriage between the Petitioner No.1 and Respondent No.2 took place on 15th January 2007 as per Hindu rites and ceremonies. It is her contention that the Petitioners treated her with cruelty. The Petitioner No.1 picked up the quarrels with her on trivial issues which caused her mental and physical cruelty. She has also alleged that on one occasion, she was physically abused to the extent that her little finger was fractured and was required to seek medical help in Sancheti Hospital, Pune. She has also narrated other instances of cruelty which led to a marital discord and resulted in the registration of the impugned F.I.R.

4) The parties have now decided to settle the matter amicably. The marriage between the parties has also been dissolved by a decree of divorce passed by a jurisdictionally competent Court. The Respondent No.2 has filed an Affidavit dated 4th October 2024 duly affirmed before the Assistant Registrar, Appellate Side of this Court in the present Petition. In paragraph No.3 of the said Affidavit, she has given her no objection to quash and set aside the criminal proceedings arising out of F.I.R. impugned herein.

5) In these circumstances, considering the nature of the proceedings as well as the divorce decree dissolving the marriage

between the parties, we are inclined to quash the criminal proceedings and the impugned F.I.R.

6) The Respondent No.2 is present in the Court and is identified by her counsel. Through her counsel she reiterates the statements made by her in the said Affidavit.

7) In view of the foregoing, the criminal proceeding bearing R.C.C.No.258 of 2015 pending before the Judicial Magistrate First Class, Cantonment at Pune arising out of F.I.R.No.3 of 2014 dated 2nd January 2014 registered with Bhosari Police Station, Pune are quashed and set aside.

8) The Petition is disposed off accordingly.

(DR. NEELA GOKHALE, J.)

(SARANG V. KOTWAL, J.)